

USSN: 09/622,104
Amdt. Dated October 22, 2003
Reply to Office Action of August 14, 2003

REMARKS/ARGUMENTS

Claims 1-25 are currently pending. Claims 1, 5, 9, and 16 have been amended to correct typographical errors. Applicants submit that no new matter has been introduced by the instant amendments.

Claims 1-25 are made the subjection of a restriction requirement under 37 CFR 1.499. Applicants elect, with traverse, the claims of Group 1, claims 1-19 drawn to compounds/compositions comprising peptides. Applicants respectfully submit that if the compounds/compositions are found patentable, then the method claims for their use are patentable as well. Therefore, Applicants respectfully submit that the general inventive concept is the compounds/compositions made the subject of claims 1-19 and that claims 1-25 can properly be examined together. Applicants respectfully request reconsideration of the instant restriction.

Alternatively, Applicants respectfully reserve the right to re-introduce withdrawn method claims that encompass all the limitations of allowed compound/composition claims under *In re Ochiai*.

Applicants also elect the species SEQ ID NO:1. As acknowledged by the Patent Office, upon allowance of a generic claim, Applicants are entitled to consideration of additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

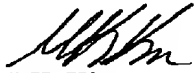
CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and request that a timely Notice of Allowance be issued in this case. The Examiner is encouraged to call the undersigned attorney to discuss any issues related to the prosecution of the instant application.

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Applicants believe that no additional fee is necessitated by the instant paper. However, in the event any fees are due or any amount is to be credited, Applicants authorize the Commissioner of Patents to debit or credit Deposit Account No. 010535.

Respectfully submitted,

 10/22/2003
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